

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

NELSON GARCIA,  
Plaintiff,  
v.  
CITY OF GILROY, et al.,  
Defendants.

Case No. [5:13-cv-00431 EJD](#)


**ORDER TO SHOW CAUSE**

On December 29, 2014, the court filed an order which required Plaintiff to file a notice providing the status of his related state criminal proceedings on or before January 9, 2015, so that the court could assess the necessity of the ongoing stay. See Docket Item No. 15. As of the date and time this order was filed, however, Plaintiff has not complied as directed.

Accordingly, the court hereby issues an order to show cause why this action should not be dismissed for failure to prosecute or for failure to comply with a court order. If Plaintiff does not, by **February 13, 2015**, file a return to this order to show cause which provides the information previously requested or otherwise demonstrate good cause in writing why this case should not be dismissed, the court will dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b). No hearing will be held on the order to show cause unless otherwise ordered by the court.

**IT IS SO ORDERED.**

Dated: February 6, 2015

  
EDWARD J. DAVILA  
United States District Judge